

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:)	
)	Group Art Unit: 2457
Beams, et. al.)	
)	Examiner: Salad, Abdullahi Elmi
Serial No.: 09/934,924)	
)	Attorney Docket No: 005222.00184
Filed: August 22, 2001)	
)	Confirmation No. 9686
For: Creating a Virtual Consultant)	

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop: Appeal Brief-Patents
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 41.37, Appellants submit this paper to the Board of Patent Appeals and Interferences in response to the Final Office Action mailed on November 26, 2008. Responsive to the Appeal Brief filed on May 18, 2009, a Notification of Non-Compliant Appeal Brief was mailed July 7, 2009 setting a one-month period for filing a response of August 7, 2009. Please charge any necessary fees in connection with this paper to Deposit Account No. 19-0733.

The Notification of Non-Compliant Appeal Brief requires that only the amended Claims Appendix be filed.


Conclusions

The rejections of claims 20-38 contained in the Final Office Action of November 26, 2008 should be reversed as presented in the Appeal Brief filed May 18, 2009 as amended in this paper. Reversal of the rejections is requested.

Respectfully Submitted,

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Date: July 29, 2009

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CLAIMS APPENDIX

1-19. Canceled

20. A method for providing one or more virtual instructors, comprising the steps of:

- (a) connecting a server and one or more users and a first virtual instructor;
- (b) selecting a destination within the server to interact with the one or more users;
- (c) coupling the one or more users through the server based on the selected destination;
- (d) establishing interaction parameters for the one or more users based on the selected destination; and
- (e) dynamically adding a second virtual instructor with the first virtual instructor and the one or more users.

21. The method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor monitors progress and provides feedback.

22. The method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor is selected by the one or more users.

23. The method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor becomes the principal instructor.

24. The method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor works with the first instructor to instruct the one or more users.

25. The method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor collaborates privately with the first virtual instructor.

26. The method for providing one or more virtual instructors as recited in claim 20, wherein the second virtual instructor leads a breakout session with one or more of the users.

27. The method for establishing a virtual instructor as recited in claim 20, wherein the second virtual instructor is selected by the first virtual instructor.

28. The method for establishing a virtual instructor as recited in claim 20, wherein the interaction parameters include support for electronic distribution of materials from the second virtual instructor.

29. An apparatus comprising:
a memory; and
a processor coupled to the memory and configured to perform, based on instructions stored in the memory:

- (a) connecting a server and one or more users and a first virtual instructor;
- (b) selecting a destination within the server to interact with the one or more users;
- (c) coupling the one or more users through the server based on the selected destination;
- (d) establishing interaction parameters for the one or more users based on the selected destination; and

- (e) dynamically adding a second virtual instructor with the first virtual instructor and the one or more users.

30. A computer-readable storage medium having computer-executable instructions that when executed perform:

- (a) connecting a server and one or more users and a first virtual instructor;
- (b) selecting a destination within the server to interact with the one or more users;
- (c) coupling the one or more users through the server based on the selected destination;
- (d) establishing interaction parameters for the one or more users based on the selected destination; and
- (e) dynamically adding a second virtual instructor with the first virtual instructor and the one or more users.

31. The computer-readable storage medium of claim 30, wherein the second virtual instructor monitors progress and provides feedback.

32. The computer-readable storage medium of claim 30, wherein the second virtual instructor is selected by the one or more users.

33. The computer-readable storage medium of claim 30, wherein the second virtual instructor becomes the principal instructor.

34. The computer-readable storage medium of claim 30, wherein the second virtual instructor works with the first instructor to instruct the one or more users.

35. The computer-readable storage medium of claim 30, wherein the second virtual instructor collaborates privately with the first virtual instructor.

36. The computer-readable storage medium of claim 30, wherein the second virtual instructor leads a breakout session with one or more of the users.

37. The computer-readable storage medium of claim 30, wherein the second virtual instructor is selected by the first virtual instructor.

38. The computer-readable storage medium of claim 30, wherein the interaction parameters include support for electronic distribution of materials from the second virtual instructor.

39. **(Withdrawn)** A method for establishing a virtual director that coordinates a training session, comprising the steps of:

- (a) initiating a session with a virtual director;
- (b) prompting a user to enter a response congruent with a goal;
- (c) receiving the response to the goal;
- (d) transmitting the response to the virtual director;
- (e) calculating a level of congruency between the response and a target response designed to achieve the goal under the supervision of the virtual director;
- (f) providing feedback to the user reflecting the level of congruency to assist the user in achieving the goal; and
- (g) providing remedial information to assist the user in achieving the goal;

wherein at least one of the steps of the method can be executed manually under the supervision of the virtual director.

40. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 39, wherein the user is manually prompted to enter the response congruent with the goal.

41. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 39, wherein the level of congruency is manually calculated.

42. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 39, wherein the feedback to the user is provided manually.

43. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 39, wherein the remedial information to assist the user in achieving the goal is determined manually.

44. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 39, wherein the method is executed on a plurality of servers which are coupled through a computer network.

45. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 44, wherein the computer network supports Internet Protocol (IP).

46. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 44, wherein the computer network includes a Local Area Network (LAN).

47. **(Withdrawn)** The method for establishing a virtual director that coordinates a training session as recited in claim 44, wherein the computer network includes a Wide Area Network (WAN).

48. **(Withdrawn)** An apparatus for establishing a virtual director that coordinates a training session, comprising:

- (a) logic that initiates a session with a virtual director;
- (b) logic that prompts a user to enter a response congruent with a goal;
- (c) logic that receives the response to the goal;
- (d) logic that transmits the response to the virtual director;
- (e) logic that calculates a level of congruency between the response and a target response designed to achieve the goal under the supervision of the virtual director;
- (f) logic that provides feedback to the user reflecting the level of congruency to assist the user in achieving the goal; and
- (g) logic that provides remedial information to assist the user in achieving the goal, wherein at least one of the logic is executed manually under the supervision of the virtual director.

49. **(Withdrawn)** A computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session, comprising:

- (a) a code segment that initiates a session with a virtual director;
- (b) a code segment that prompts a user to enter a response congruent with the goal;
- (c) a code segment that receives the response to the goal;
- (d) a code segment that transmits the response to the virtual director;
- (e) a code segment that calculates a level of congruency between the response and a target response designed to achieve the goal under the supervision of the virtual director;
- (f) a code segment that provides feedback to the user reflecting the level of congruency to assist the user in achieving the goal; and
- (g) a code segment that provides remedial information including information from the help engine to assist the user in achieving the goal, wherein at least one of the code segments can be executed manually under the supervision of the virtual director.

50. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 49, wherein a user is prompted manually to enter a response congruent with a goal.

51. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 49, wherein the level of congruency is calculated manually.

52. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 49, wherein the feedback to the user is provided manually.

53. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 49, wherein the remedial information to assist the user in achieving the goal is determined manually.

54. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 49, wherein the computer program resides on a plurality of servers which are coupled through a computer network.

55. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 54, wherein the computer network supports Internet Protocol (IP).

56. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 54, wherein the computer network includes a Local Area Network (LAN).

57. **(Withdrawn)** The computer program embodied on a computer-readable medium that establishes a virtual director that coordinates a training session as recited in claim 54, wherein the computer network includes a Wide Area Network (WAN).